

02/19/02  
J1132 U.S. PTO

PATENT  
Customer Number 22,852  
Attorney Docket No. 2356.0011-10000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Prior Application Art Unit: 09/328,438 Prior Application Examiner: Parkin, J.

J1017 U.S. PTO  
10/076370  
02/19/02

SIR: This is a request for filing a

☐ Continuation ☐ Continuation-in-Part ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/328,438 filed June 9, 1999 of Marc ALIZON et al. for A VARIANT OF LAV VIRUSES

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/328,438 as originally filed on June 9, 1999, which is incorporated herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. ☐ Cancel Claims \_\_\_\_.
5. ☒ A Preliminary Amendment is enclosed.
6. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee					\$740	\$ 740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	6	-	20	0	x \$18	0.00
Independent Claims	1	-	3	0	x \$84	0.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	0.00
Subtotal						\$ 740.00
Reduction by 1/2 if small entity						- 0.00
TOTAL APPLICATION FILING FEE						\$ 740.00

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7. ☒ A check in the amount of \$740.00 to cover the filing fee is enclosed.
8. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ☒ Amend the specification by inserting before the first line, the following new paragraph:
- This is a division of application no. 09/328,438, filed 6/9/99, which is a continuation of application no. 09/041,975, filed 3/13/98, which is a continuation of application no. 08/471,474, filed 6/6/95 (now U.S. Patent 5,824,482), which is a continuation of application no. 08/154,397, filed 11/18/93 (now U.S. Patent 5,773,602), which is a continuation of application no. 07/988,530, filed 12/10/92 (now abandoned), which is a continuation of application no. 07/656,797, filed 02/19/91 (now abandoned), which is a division of application no. 07/038,330, filed 04/13/87 (now U.S. Patent 5,030,714), all of which are incorporated herein by reference.--
10. ☒ New formal drawings are enclosed.
11. ☒ The prior application is assigned of record to: Institut Pasteur
12. ☒ Priority of application Serial No. 86401380.0, filed on June 23, 1986 in France is claimed under 35 U.S.C. § 119. A certified copy
- ☐ is enclosed or ☒ is on file in prior application 07/038,330.
13. ☐ Small entity status is appropriate and applies to this application.
14. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg.

ENCLOSURE

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15. ☒ The power appears in the original declaration of the prior application.
16. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

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17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
18. ☐ Recognize as associate attorney \_\_\_\_\_
19. ☐ Also enclosed is \_\_\_\_\_

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 09/328,438, filed June 9, 1999, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 19, 2002

By: Rebecca M. McNeill  
Rebecca M. McNeill  
Reg. No. 43,796

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Marc ALIZON et al. ) Prior Application:  
Serial No.: Not yet assigned ) Group Art Unit: 1648  
Filed: February 19, 2002 ) Examiner: Parkin, J.  
For: VARIANT OF LAV VIRUSES )

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**SUBMISSION OF FORMAL DRAWINGS**

Subject to the approval of the Examiner, please replace the informal drawings with the 34 sheets of formal drawings filed herewith (Figures 1A - 7I). If the formal drawings for any reason are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

If any fees are necessary for the submission of these formal drawings, please charge our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 19, 2002

By: Rebecca M. McNeill  
Rebecca M. McNeill  
Reg. No. 43,796

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